

**UNITED STATES BANKRUPTCY COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>In re:</b>	)	<b>Chapter 7</b>
	)	
<b>SAMIR JAKUPOVIC,</b>	)	<b>Bankruptcy No. 23-15263</b>
	)	
<b>Debtor.</b>	)	<b>Honorable A. Benjamin Goldgar</b>

**NOTICE OF MOTION**

TO: See attached list

PLEASE TAKE NOTICE that on **Monday, July 8, 2024, at 9:30 a.m.**, I will appear before the Honorable A. Benjamin Goldgar, or any judge sitting in that judge's place, **either** in courtroom 642 of the Everett McKinley Dirksen United States Courthouse, 219 S. Dearborn Street, Chicago, IL 60604, **or** electronically as described below, and present the **APPLICATION OF CHAPTER 7 TRUSTEE TO EMPLOY B. LANE HASLER AS SPECIAL COUNSEL, TO PAY RETAINER, AND TO LIMIT NOTICE**, a copy of which is attached.

**Important: Only parties and their counsel may appear for presentment of the motion electronically using Zoom for Government. All others must appear in person.**

**To appear by Zoom using the internet**, go to this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

**To appear by Zoom using a telephone**, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

**Meeting ID and passcode.** The meeting ID for this hearing is **161 500 0972** and the passcode is **726993**. The meeting ID and passcode can also be found on the judge's page on the court's web site.

**If you object to this motion** and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

Date: June 11, 2024

**DAVID P. LEIBOWITZ, not individually, but as the  
Chapter 7 Trustee of the Debtor's Estate**

By: /s/ David P. Leibowitz

David P. Leibowitz (ARDC # 1612271)  
Law Offices of David P. Leibowitz, LLC  
1355 W. Wrightwood, Unit 2  
Chicago, IL 60614  
(312) 662-5750  
[dleibowitz@lakelaw.com](mailto:dleibowitz@lakelaw.com)

## **CERTIFICATE OF SERVICE**

I, Linda A. Green,

☒ an attorney, certify

that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method shown on June 11, 2024, at 5:00 p.m.

/s/ Linda A. Green

### **SERVICE LIST**

**Parties served via electronic notice through CM/ECF:**

Patrick S Layng    USTPRegion11.ES.ECF@usdoj.gov

Arlene N Gelman    agelman@vedderprice.com,  
twilliams@vedderprice.com,ecfdocket@vedderprice.com,arlene-gelman-  
5110@ecf.pacerpro.com;7610@ecf.pacerpro.com

Anthony J Peraica    peraicalaw@aol.com, cwinans@peraica.com

Phillip Brigham    pbrigham@phillipbrighamlaw.com

**Parties served via first class U.S. mail:**

Samir Jakupovic  
8372 West Sunnyside Avenue  
Norridge, IL 60706

B. Lane Hasler  
161 N. Clark, Suite 1600  
Chicago, IL 60601

Mercury Ins. Co.  
Bodie Enger Law, LLC  
1763 N. Franklin Street  
Denver,, CO 80218

Capital One N.A.  
by American InfoSource as agent  
4515 N Santa Fe Ave  
Oklahoma City, OK 73118

JPMorgan Chase Bank, N.A.  
s/b/m/t Chase Bank USA, N.A.  
c/o National Bankruptcy Services, LLC  
P.O. Box 9013  
Addison, Texas 75001

PNC Bank, National Association  
Martin J. Wasserman, Carlson Dash LLC  
216 S Jefferson St, Suite 303  
Chicago, IL 60661

Transport Enterprise Leasing, LLC  
400 Birmingham Hwy, Suite 350  
Chattanooga, TN 37419

Affirm, Inc.  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

American Express National Bank  
c/o Becket and Lee LLP  
PO Box 3001  
Malvern PA 19355-0701

JPMorgan Chase Bank, N.A.  
c/o Mark A. Jarman  
P.O. Box 29550 Mail Code AZ2-0100  
Phoenix, AZ 85038

Siemens Financial Services, Inc.  
c/o Arlene N. Gelman, Esq.,  
Vedder Price P.C.  
222 N. LaSalle St., Suite 2600  
Chicago, IL 60601

AMEX TRS Co., Inc.  
c/o Becket and Lee LLP

PO Box 3001  
Malvern PA 19355-0701

Amur Equipment Financing, Inc.  
304 West 3rd Street  
Grand Island, NE 68801

Breakout Capital, LLC  
1451 Dolley Madison Blvd.  
Suite 200  
McLean, VA 22101

Zilha Jakupovic  
7024 W. Carol St.  
Niles, IL 60714

**UNITED STATES BANKRUPTCY COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>In re:</b>	)	<b>Chapter 7</b>
	)	
<b>SAMIR JAKUPOVIC,</b>	)	<b>Bankruptcy No. 23-15263</b>
	)	
<b>Debtor.</b>	)	<b>Honorable A. Benjamin Goldgar</b>

**APPLICATION OF CHAPTER 7 TRUSTEE TO EMPLOY B. LANE HASLER  
AS SPECIAL COUNSEL, TO PAY RETAINER, AND TO LIMIT NOTICE**

David P. Leibowitz (“Trustee”), not individually but as the Chapter 7 Trustee of the estate of Samir Jakupovic (“Debtor”), pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rules of Bankruptcy Procedure 2014 and 2016, hereby moves for an order authorizing the Trustee to employ B. Lane Hasler as his special counsel and to pay him a retainer of \$5,000 if and when funds become available.<sup>1</sup> In support of this Application, the Trustee relies upon the *Declaration of B. Lane Hasler* (the “Hasler Declaration”) attached hereto as **Exhibit A** and incorporated herein by reference, and respectfully states the following:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over this case pursuant to 28 U.S.C. § 1334 and venue is proper pursuant to 28 U.S.C. § 1408.
2. By Local Rule 40.3.1(a) of the United States District Court for the Northern District of Illinois, the District Court has referred all bankruptcy cases to the Bankruptcy Court for initial determination, as permitted by 28 U.S.C. § 157(a).
3. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (O).

**FACTUAL AND PROCEDURAL BACKGROUND**

4. Debtor filed a voluntary chapter 7 petition on November 13, 2023 (“Petition Date”).

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<sup>1</sup> All chapter, section and rule references, unless otherwise noted, are to the Bankruptcy Code, 11 U.S.C. §§ 101-1532 (“Bankruptcy Code”), and the Federal Rules of Bankruptcy Procedure, Rules 1001-9037 (“Bankruptcy Rules”).

5. David P. Leibowitz is the duly appointed, qualified, and acting chapter 7 trustee.
6. The Trustee seeks to retain B. Lane Hasler (“Hasler”) as his special counsel for the purpose, *inter alia*, of locating and repatriating Debtor’s assets overseas.
7. The Trustee has agreed to compensate Hasler at his normal hourly rate of \$700, with \$350 per hour for associate work and \$125 for paraprofessionals, plus reasonable and necessary expenses, all subject to Bankruptcy Court approval in accordance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules, and any applicable court orders.
8. In addition, Hasler has requested a \$5,000 retainer. As of the filing of this application, the estate has no funds; however, the Trustee requests authority to pay Hasler a retainer of \$5,000 if and when the estate has sufficient funds to pay that amount.
9. The Trustee now desires to employ Hasler pursuant to the terms set forth herein and in the Hasler Declaration.

#### **RELIEF REQUESTED**

10. The Trustee requests that the Court enter an order authorizing the Trustee to employ Hasler pursuant to Section 327(a) of the Bankruptcy Code as his special counsel for the purpose of locating and repatriating Debtor’s assets overseas and for authority to pay Hasler a retainer of \$5,000 if and when the estate has sufficient funds to pay that amount.

#### **BASIS FOR RELIEF REQUESTED**

11. Section 327(a) of the Bankruptcy Code provides in pertinent part:

Except as otherwise provided in this section, the trustee, with the court’s approval, may employ one or more attorneys . . . that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee’s duties under this title . . .
12. To the best of the Trustee’s knowledge, information, and belief, and other than as discussed herein or in the Hasler Declaration: (a) Hasler does not hold or represent any interest

adverse to the interest of the Debtor's estate or any class of creditors, by reason of any direct or indirect relationship to, connection with, or interest in the Debtor or for any other reason; and (b) Hasler is a "disinterested person," as that term is used in Section 327(a) and defined in Section 101(14) of the Bankruptcy Code.

13. The Trustee believes that retention of Hasler on the terms described above is in the best interest of this estate.

### **NOTICE**

14. Notice of this motion was provided to: (a) the Debtor; (b) Debtor's counsel; (c) the Office of the United States Trustee; (d) Hasler; (e) all creditors who filed proofs of claim in this case; and (f) all parties that have requested or receive notice through CM/ECF. In light of the expense of serving all scheduled creditors, the Trustee requests that the Court limit notice to those creditors who filed proofs of claim in this case.

**WHEREFORE**, the Trustee requests entry of an order (i) authorizing the Trustee to employ B. Lane Hasler as his special counsel for the purpose of locating and repatriating Debtor's assets overseas, with fees and expenses to be paid as administrative expenses in such amounts as the Court may hereafter determine and allow, (ii) authorizing the Trustee to pay Hasler a retainer of \$5,000 if and when the estate has sufficient funds to pay that amount, (iii) limiting notice to those creditors who filed proofs of claim in this case; and (iv) awarding such other and further relief as is just.

**DAVID P. LEIBOWITZ, not individually, but solely in  
his capacity as chapter 7 trustee of the Debtor's estate**

By: /s/ David P. Leibowitz  
David P. Leibowitz (ARDC # 1612271)  
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1355 W. Wrightwood, Unit 2  
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(312) 662-5750